

Baker & Hostetler LLP
45 Rockefeller Plaza
New York, New York, 10111
Telephone: (212) 589-4200
Facsimile: (212) 589-4201

Hearing Date: March 27, 2019
Objection Deadline: March 20,
2019

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-01789 (SMB)

SIPA Liquidation

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Substantively
Consolidated SIPA Liquidation of Bernard L. Madoff
Investment Securities LLC and the Estate of Bernard
L. Madoff,

Plaintiff,

v.

FAIRFIELD INVESTMENT FUND LIMITED, *et al.*,

Defendants.

Adv. Pro. No. 09-01239 (SMB)

IRVING H. PICARD, Trustee for the Substantively
Consolidated SIPA Liquidation of Bernard L. Madoff
Investment Securities LLC and the Estate of Bernard
L. Madoff,

Plaintiff,

v.

BARRENECHE, INC., *et al.*,

Defendants.

Adv. Pro. No. 12-01702 (SMB)

CERTIFICATE OF NO OBJECTION TO MOTION FOR ENTRY OF ORDERS
APPROVING AGREEMENTS BY AND BETWEEN
THE TRUSTEE AND SETTLING DEFENDANTS

Irving H. Picard, trustee (“Trustee”) for the substantively consolidated liquidation of the business of Bernard L. Madoff Investment Securities LLC under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa–III, and the estate of Bernard L. Madoff, by and through his undersigned counsel, submits this certificate pursuant to Local Bankruptcy Rule 9075-2, and respectfully represents:

1. On February 21, 2019, the Trustee filed the Motion for Entry of Orders Approving Agreements By and Between the Trustee and Settling Defendants (the “Motion”) (ECF No. 264), and caused the Motion to be served on the same date.

2. The deadline for filing objections to the Motion expired on March 20, 2019, at 5:00 p.m.

3. Notice of the Motion was timely provided by U.S. Mail, postage prepaid or email to (i) defendants in the adversary proceedings; (ii) all parties included in the Master Service List as defined in the Order Establishing Notice Procedures (ECF No. 4560) (the “Notice Procedures Order”); (iii) all parties that have filed a notice of appearance in this case; and (iv) the Securities Investor Protection Corporation, pursuant to the Notice Procedures Order.

4. Counsel for the Trustee reviewed the Court’s docket not less than 48 hours after expiration of the time to file an objection, and to date, no objection, responsive pleading, or request for a hearing with respect to the Motion, appears thereon. Additionally, no party has indicated to the Trustee that it intends to oppose the relief requested in the Motion.

5. Electronic copies of the proposed orders (the “Orders”), that are substantially in the form of the proposed orders that were annexed to the Motion will be submitted to the Court along with this certificate.

6. Pursuant to Local Bankruptcy Rule 9075-2, the Trustee respectfully requests that the Orders be entered without a hearing.

Dated: March 22, 2019
New York, New York

Respectfully submitted,

/s/ Oren J. Warshavsky

Baker & Hostetler LLP
45 Rockefeller Plaza
New York, New York 10111
Telephone: (212) 589-4200
Facsimile: (212) 589-4201
David J. Sheehan
Email: dsheehan@bakerlaw.com
Oren J. Warshavsky
Email: owarshavsky@bakerlaw.com

*Attorneys for Irving H. Picard,
Trustee for the Substantively Consolidated
SIPA Liquidation of Bernard L. Madoff
Investment Securities LLC and the Estate of
Bernard L. Madoff*